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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,552	11/26/2003	Jay A. Fishman	14846-011004 / MGH 0978-2	9739
26161	7590	01/29/2008	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			CARLSON, KAREN C	
ART UNIT		PAPER NUMBER		
1656				
MAIL DATE		DELIVERY MODE		
01/29/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10723552 0978-2	11/26/03	FISHMAN, JAY A.	14846-011004 / MGH

EXAMINER

Karen Cochrane Carlson, Ph.D.

ART UNIT	PAPER
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1656 20080116

DATE MAILED:

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Commissioner for Patents

The reply filed on October 31, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants state that they have submitted a new sequence listing. However, there is no new sequence listing provided in the specification. Further, Applicants have added 79 new sequences but do not provide any statements or definitions of what these sequences are. Thus, the Examiner cannot know 1) if nucleic acid or amino acid sequences have been provided by Applicants, and 2) what the sequences represent or 3) how the sequences correlate to each other, that is nucleic acid SEQ ID NO: X encodes polypeptide sequence SEQ ID NO: Y, for example. Additionally, without this information, the presence of new matter cannot be assessed, that is, it is not clear where in the original specification these new 79 sequences are taught. Though not required, Applicants may also wish to place the appropriate sequences in the claims so that it is clear what Applicants intend by the claimed subject matter. The Examiner is hesitant to send out a first action final rejection in this application when it is clear that Applicants intended to provide much needed information to further the prosecution of this application for patent. See 37 CFR 1.111.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is 571-272-0946. The examiner can normally be reached on 7:00 AM - 4:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Kathleen Kerr Bragdon can be reached on 571-272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**KAREN COCHRANE CARLSON, PH.D.
PRIMARY EXAMINER**